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		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
APPLICATION NO.	FILING DATE		1884.1020-006	6927
09/666,524	09/20/2000	Neil J. Goldfine	1884.1020-000	0,2.
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133			EXAMINER	
			SNOW, WALTER E	
CONCORD, N	A 01742-9133		ART UNIT	PAPER NUMBER
			2862	

DATE MAILED: 03/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.

Applicant(s)

09/666,524

Goldfine et al.



### **The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.	Office Action Summary	Examiner	Everyiner Art Unit	
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Application/Control Number: 09/666,524

Art Unit: 2862

- 1. The indicated allow-ability of claims 107-109 and 112-121 is withdrawn in view of the newly discovered reference(s) to Thompson. Rejections based on the newly cited reference(s) follow.
- 2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 107, 112, 120 and 121 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Thompson.
- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 108, 109, 113-119 and 145-162 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson.

Thompson discloses all of the claimed subject matter, except for the sensor mounted between the layers of the structures, mounting a sensor in both ends of a fastener, the specific details of the eddy current sensor and calibrating the sensor. These features are considered obvious design considerations since they are old and known in the art.

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6. Claims 110 and 111 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 110 and 111 are indefinite since they depend upon a canceled claim.

W SNOW/pj

02/25/03

WALTER E. SNOW PRIMARY EXAMINER